

Federal Trade Commission

§ 256.2

§ 256.0 Definitions.

(a) *Industry product*. Any law book, case book, publication, series, service, law research materials, supplements and other printed materials of similar nature as well as materials appearing in microform, film, tape or other nonprint format designed primarily for use by members of the law profession and by law schools, excluding second-hand or used law materials.

(b) *Treatise or text*. An exposition—critical, evaluative, interpretive or informative—which analyzes one or more areas of the law. Generally, a legal treatise is more exhaustive in scope than an encyclopedia, and is considered a secondary aid.

(c) *Set*. A group of books published as a unit by virtue of such unifying characteristics as common authorship, editorship, relevance, or subject.

(d) *Series*. A number of separate works or sets, usually related to one another in subject or otherwise, issued in succession, normally by the same publisher or in uniform style, with a collective title.

(e) *Looseleaf (binder)*. A law book or series of law books that consist of ring or post-bound (compression-type) binders used to hold separate looseleaf sheets as opposed to the bound book format wherein pages are permanently attached to the binder.

[40 FR 33436, Aug. 8, 1975; 40 FR 36116, Aug. 19, 1975]

§ 256.1 General disclosures.

Direct-mail promotional materials¹ or oral representations soliciting the sale of specific industry products should clearly and conspicuously disclose:

(a) Name and address of publisher;

¹Where the direct-mail advertising of specific industry products consists of a promotional package containing more than one advertising piece (e.g., a brochure and/or cover letter, order form, and/or reply card), the disclosures required by §§ 256.1–256.3, 256.5–256.8 and 256.17 must appear clearly and conspicuously in the place where they are most likely to be noticed, on at least one piece of the promotional advertising package.

(b) Full title including any sub-titles, and edition name or number if not the first;

(c) Surname and given name or initials of authors, editors or compilers or designate if authored, edited or compiled by publisher's editorial staff;

(d) Latest copyright date and whether supplemented; or in the event of a looseleaf or post-bound (compression-type) publication, other appropriate identification of currency (latest copyright date not necessary for open-ended, ongoing type works such as reports and digests);

(e) In the case of a reprint by other than the original publisher, the publisher and copyright date of the original work, name and address of the reprint publisher and reprint dates;

(f) Whether part of a set or series and, if so, the full title of said set or series;

(g) Where the title of the advertised industry product is general, when in fact coverage therein is more limited than the title implies, a synoptic description of the limited coverage of subject matter, except in cases where chapter headings are listed and adequately reflect the limited subject matter;

(h) Type of binding (e.g., permanently bound with pocket parts, looseleaf including post-bound, compression-binder type or paperback);

(i) Where the price of the industry product appears, a description of what the price includes (e.g., the number of volumes in a set) and whether there are any extra charges such as postage, handling, shipping or other surcharges. [Guide 1]

§ 256.2 Disclosures relative to supplementation.

Direct mail promotional materials or oral representations soliciting the sale of specific industry products should, where an industry product is being supplemented, or supplementation is being contemplated, clearly and conspicuously disclose:

(a) The general type of supplementation currently being supplied, a description of what is included in that supplementation (e.g., pocket part supplements [bound, unbound or pamphlet type], replacement pages, cumulative